

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

RYAN FELTON

Criminal Action No.

1:20-CR-0347-JPB-JSA

GOVERNMENT'S PROPOSED VOIR DIRE QUESTIONS

The United States of America, by Ryan K. Buchanan, United States Attorney for the Northern District of Georgia, and Nathan P. Kitchens and Sekret Sneed, Assistant United States Attorneys, respectfully requests permission to ask the following *voir dire* questions to examine prospective jurors. These questions are in addition to the Court's standard Qualifying Questions (Criminal Cases) and Background Jury Questions.

Respectfully submitted,

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United States Attorney

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/s/SEKRET SNEED

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Proposed Voir Dire Questions

1. Do you recognize any other prospective jurors in the courtroom? If so, which ones and how do you know them?

2. Do you recognize any individual sitting with the defendant and the defense team who has not already been introduced to you? If so, which ones and how do you know them?

3. Have you, a close family member, or a close friend ever been employed by any law enforcement agency, such as a police department or sheriff's office? If you have already disclosed this information when answering questions about your employment, you do not need to respond again.

- a. Who?
- b. Which agency?
- c. Job title?
- d. When?

4. Have you, a close family member, or a close friend ever been employed by the federal or state government? If you have already disclosed this information when answering questions about your employment, you do not need to respond again.

- a. Who?
- b. Which agency?
- c. Job title?
- d. When?

5. Have you, a close family member, or a close friend ever worked *in any capacity* for any law firm or organization that defended people who were accused of committing crimes.

a. If so, what was the name of the firm or business, and what was the job title that you, your close family member, or close friend held?

6. Have you, a close family member, or a close friend ever been arrested for or charged with any type of crime other than a minor traffic violation?

a. Who?

b. What type of crime?

c. What was the outcome

d. Do you believe this individual was treated fairly by the police, prosecutors, and/or judges involved in the case?

e. Would anything about this affect your ability to be a fair and impartial juror in this case?

7. Have you, a family member, or close friend ever spent time in jail?

a. Who?

b. What was the outcome?

c. Do you believe this individual was treated fairly by the police, jail officials, prosecutors, and/or judges involved in the case?

d. Would anything about this affect your ability to be a fair and impartial juror in this case?

8. Have you, a close family member, or a close friend ever been the victim of a crime?

- a. Who?
 - b. What type of crime?
 - c. Was the person who committed the crime arrested and prosecuted?
 - d. Was that person convicted?
 - e. Did you testify at the trial?
 - f. Was the matter resolved to the individual's satisfaction?
 - g. Do you believe this individual was treated fairly by the police, prosecutors, and/or judges involved in the case?
 - h. Would anything about this affect your ability to be a fair and impartial juror in this case?
9. Have you ever called the police or filed a police report?
- a. Do you believe the incident that you reported was properly handled by the police?
 - b. Would anything about this affect your ability to be a fair and impartial juror in this case?
10. Have you, a close family member, or a close friend ever been a party to a lawsuit with any federal, state or local government agency as a plaintiff, defendant, victim, or witness?
- a. What kind of case was it?
 - b. Was the matter resolved to your satisfaction?
 - c. Would anything about this affect your ability to be a fair and impartial juror in this case?

11. Have you, a close family member, or a close friend ever had any unpleasant experience with a police officer, any law enforcement agent, or the Securities and Exchange Commission, commonly referred to as the "SEC"?

- a. Who?
- b. Which agency?
- c. When?
- d. What happened?
- e. Would anything about this affect your ability to be a fair and impartial juror in this case?

12. Have you, a close family member, or a close friend ever received any legal training, attended law school, practiced law, or worked (whether as a lawyer or any other capacity) in an attorney's office, including any criminal defense law firms or prosecutor's office? If so, please state who received the legal training, the type of training, the area of the law involved, and the firms who have been employers.

- a. Who?
- b. Where?
- c. When?
- d. Did that person graduate?
- e. Did that person ever practice law or work in the legal profession?
- f. Name of the employer?

13. Have you, a close family member, or a close friend ever had an experience in court or involving a lawyer that might interfere with your ability to serve as a fair or impartial juror?

14. Do you have any views about law enforcement that might affect whether you believe the testimony of law enforcement officers and/or agents who might testify in court? If yes, please explain those views.

- a. Do you believe the testimony of law enforcement officers is less credible than other witness testimony? If yes, please explain.
- b. Have you, or has a close family member or friend, had a bad or unpleasant experience with a law enforcement officer? If yes, please explain.

15. This case was investigated by the Federal Bureau of Investigation. Do you have any negative or positive opinions of the FBI that might interfere with your ability to serve as an impartial juror in this case?

16. Do you have any strong negative or positive opinions of prosecutors? Do you have any strong negative or positive opinions of criminal defense lawyers?

17. During the trial, you will hear evidence regarding the securities industry, which refers generally to the purchasing and selling of investments. Does the fact that the charges involve the securities industry or fraud allegedly committed in connection with the securities industry make it difficult for you to render a fair and impartial verdict?

18. Have you or any close family member or close friend ever received

training or worked in any business or job relating to the securities industry, such as a stock broker's office, a financial advisor's office, an on-line trading or brokerage company, a division of a bank or company that purchased or sold stocks or other investments, or any stock exchange, such as the New York Stock exchange?

- a. Who?
- b. Name of the employer?
- c. When?
- d. Job responsibilities and title?

19. Have you or any close family member or close friend ever been employed or associated with the United States Securities and Exchange Commission, commonly known as the "SEC," or any state agency with responsibility for securities (e.g., the Georgia Secretary of State's Office)?

- a. Who?
- b. Name of the employer?
- c. When?
- d. Job responsibilities and title?

20. Have you heard of cryptocurrency? What opinions, if any, do you have about cryptocurrency?

21. Have you ever purchased, sold, possessed, traded, or exchanged cryptocurrency?

- a. What cryptocurrency?

b. When?

22. Have you ever purchased stock in an initial public offering or cryptocurrency tokens in an initial coin offering?

a. What IPO or ICO?

b. Did you have any unpleasant experience?

23. Do any of you believe that cryptocurrency should *not* be regulated by the federal government? Do you have any opinions about the United States Government, the Securities and Exchange Commission, commonly referred to as “the SEC,” or any other federal, state, or local law enforcement agency? If so, what are those opinions and why do you hold them? Is there anything about those opinions that would affect your ability to render a fair and impartial verdict in this case?

24. Do you follow news stories about the criminal justice system or the prison system? If so, did what you read in those stories influence your opinion of the fairness and effectiveness of the criminal justice system or prison system such that you would not be able to be a fair or impartial juror?

25. Do you follow major criminal trials or investigations in the media? If yes, which criminal trials or investigations have you followed in the past or do you follow now? Has the media’s portrayal of the criminal trials or investigations in the past few years caused you to mistrust law enforcement?

26. Do you have any negative or positive opinions of the Department of Justice?

27. Do you have any personal, religious, moral, philosophical, or other beliefs

that would make it difficult for you to sit in judgment of another person, or that would prevent you from applying the law given to you by the Court to the evidence of the case? If yes, please explain.

28. Other than what has already been mentioned, do you have any medical or physical conditions, or any other issue, that would make it difficult for you to serve as a juror in this case, such as problems with your hearing, sight, or understanding of the English language?

29. Is there any other reason whatsoever that you have not previously disclosed which would affect your ability to serve as a fair and impartial juror or which would cause you to prefer not to sit as a juror in this case?

Local Rule 7.1D Certificate

The undersigned hereby certifies that the foregoing has been formatted in Book Antigua font, 13 point type, which complies with the font size and point requirements of Local Rule 5.1C.

Certificate of Service

I served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

June 10, 2022

/s/ NATHAN P. KITCHENS

NATHAN P. KITCHENS

Assistant United States Attorney